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**IDAPA 07
TITLE 01
CHAPTER 03**

07.01.03 - RULES OF ELECTRICAL LICENSING AND REGISTRATION - GENERAL

000. LEGAL AUTHORITY.

The Idaho Electrical Board is authorized under Section 54-1006(5), Idaho Code, to adopt rules concerning the issuance of electrician licenses and apprentice registrations referred to in Sections 54-1007 and 54-1010, Idaho Code. (2-26-93)

001. TITLE AND SCOPE.

These rules shall be cited as IDAPA 07.01.03, "Rules of Electrical Licensing and Registration - General," Division of Building Safety. These rules include criteria for issuance of electrical licenses and registrations. (2-26-93)

002. WRITTEN INTERPRETATIONS.

This agency has written interpretations of this chapter in the form of legal memoranda. (2-26-93)

003. ADMINISTRATIVE APPEALS.

IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," govern license revocation/suspension proceedings. (2-26-93)

004. -- 010. (RESERVED)

011. LICENSE APPLICATION FORMS/APPRENTICE REGISTRATION FORMS.

Application forms for Electrical Contractor, Master Electrician, Journeyman Electrician Licenses, Specialty Electrical Licenses, and registration forms for Apprentice Electricians and Specialty Electrical Trainees shall be printed and made available by the Division of Building Safety, state of Idaho. (3-29-12)

01. Application Forms. All applications for licenses and all registrations shall be properly completed, giving all pertinent information, and all signatures shall be notarized. (4-5-00)

02. Application Fee. All applications for electrical licenses shall be accompanied by the fifteen dollar (\$15) application fee; apprentice and specialty trainee registration forms shall be accompanied by the ten dollar (\$10) registration fee as provided by Section 54-1014, Idaho Code. (4-5-00)

03. Application Submission. An application for license shall be submitted to the Division of Building Safety and shall be approved by an authorized representative of the Division before any examination is given and before any license is issued. (3-29-12)

04. Examination. An applicant for licensure must take the required examination within ninety (90) days of the date of application, or the application shall be considered to be null and void. (4-5-00)

05. License. Following the approval by an authorized representative and the successful completion of the required examination, the applicant must purchase a license prior to engaging in business within the state of Idaho. Applicants who fail to purchase a license within ninety (90) days of the date of successful examination shall be required to reapply for licensure, again obtain the approval of an authorized representative, and re-examine. (4-5-00)

06. License Period. All original licenses and registrations shall be issued by the Division immediately upon receipt of the licensure fee and other necessary documentation from the applicant which date shall be designated as the original license anniversary date and signify the commencement of the licensing period. All license and registration renewals shall be effective in the year renewed as of the original license anniversary date. All license and registration periods shall end at midnight on the last day of the final month of the licensing or registration period. Licenses and registrations not renewed by this date shall have expired. Any expired license revived within the twelve (12) month period following the expiration date will continue to have the original license anniversary date for purposes of subsequent renewal. (3-29-10)

012. APPRENTICE ELECTRICIAN.

01. Requirements for Apprentice Electrician. (5-3-03)

a. A person wishing to become an apprentice electrician shall register with the Division of Building Safety prior to going to work. Said person shall carry a current registration certificate on his person at all times and shall present it upon request to personnel of the Division of Building Safety for examination. Each apprentice shall register for a period of five (5) years and pay the applicable fee. During the period of registration an apprentice must annually complete a minimum of one hundred forty-four (144) hours of an organized sequence of instruction in technical subjects related to the electrical trade as approved by the Idaho Electrical Board and the Idaho State Board for Professional and Technical Education until a certificate of achievement is earned from the vocational institution attended. Each apprentice shall obtain work experience during the period of registration as described in Paragraph 012.01.b. of these rules and provide the Division with notarized letters from each employer evidencing such work to be maintained in the apprentice's file with the Division. Time toward the work requirements detailed in Paragraph 012.01.b. of these rules shall not be credited while the apprentice is inactive or not registered. (4-7-11)

b. In order to qualify to take the journeyman electrician examination an apprentice electrician shall furnish proof of completion of four (4) years of related instruction for electrical apprentices as approved by the Idaho Electrical Board and the Idaho State Board for Professional-Technical Education, and be required to work at least three (3) years, defined as a minimum of six thousand (6,000) hours of work experience, under the constant on-the-job supervision of a journeyman electrician. Such work experience shall include three (3) categories: (4-7-11)

i. Residential; (5-3-03)

ii. Commercial; and (5-3-03)

iii. Industrial installations. (5-3-03)

c. Successful completion of the journeyman examination does not eliminate the requirement to complete four (4) years of work experience, defined as eight thousand (8,000) hours, under the constant on-the-job supervision of a journeyman electrician in order to be issued a journeyman license. Successful completion of the Idaho state journeyman examination notwithstanding, no journeyman license shall be issued until proof of satisfaction of the requirements contained in Section 013 of these rules is furnished to the Division. (4-7-11)

d. Experience shall not exceed seventy-five percent (75%) of the work time in any one (1) category. The work requirements of Paragraph 012.01.b. of these rules shall not apply to an apprentice registered in an apprenticeship program approved by the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship. (4-7-11)

e. An apprentice registration shall only be renewed by the Division upon receipt of sufficient evidence demonstrating that the apprentice has successfully completed at least two (2) years of an approved sequence of instruction and worked two (2) years defined as a minimum of four thousand (4,000) hours of work experience under the constant on-the-job supervision of a journeyman electrician in the categories described in Paragraph 012.01.b. of these rules; provided however, that in no case shall an apprentice registration be renewed more than one (1) time by the Division without a recommendation from the Idaho Electrical Board to do so. An apprentice may only petition the Electrical Board for registration renewals subsequent to the first renewal. If application to the Division or petition to the Board is made pursuant to this paragraph, the Division and the Board, as applicable, shall consider whether extenuating circumstances exist which prevent the completion of the instruction or work experience requirements for renewal. (3-29-12)

f. An apprentice who has completed the required number of instructional hours and has not passed the journeyman's examination within two (2) years of completion of the required instructional training hours shall provide proof of continuation training in order to be eligible to take the journeyman exam. For the purposes of Section 012 of these rules, continuation training is defined as registration in a Board-approved fourth year apprenticeship class. (3-29-12)

02. Direct Supervision. It shall be the responsibility of the employing electrical contractor to insure that the apprentice performs electrical work only under the constant on-the-job supervision of a journeyman

electrician. Any contractor who employs more than two (2) apprentice electricians for each licensed journeyman electrician employed is presumed to be in violation of the direct supervision requirements of Section 54-1010, Idaho Code, and of the constant on-the-job supervision requirement of Section 54-1003A, Idaho Code. This presumption may be rebutted by a showing by the contractor that special circumstances exist which are peculiar to the work done by that contractor which allows for effective supervision by each journeyman electrician of more than two (2) apprentice electricians. Prior to employing more than two (2) apprentice electricians for each journeyman electrician, a contractor must obtain permission from the Division of Building Safety to do so. Failure to comply with this requirement will be grounds for suspension or revocation of the electrical contractor's license. (3-29-12)

013. JOURNEYMAN ELECTRICIAN.

01. Experience and Education Required. (5-3-03)

a. An applicant for a journeyman electrician license must have worked as an apprentice electrician making electrical installations for four (4) years, defined as a minimum of eight thousand (8,000) hours under the constant on-the-job supervision of a qualified journeyman electrician and meet the minimum vocational educational requirements of the Idaho Electrical Board and the Idaho State Board for Professional and Technical Education as provided by Section 54-1007, Idaho Code, and Paragraph 012.01.a. of these rules. That work shall include three (3) categories: (5-3-03)

- i. Residential; (5-3-03)
- ii. Commercial; and (5-3-03)
- iii. Industrial installations. (5-3-03)

b. Experience shall not exceed seventy-five percent (75%) of the work time in any one (1) category. The requirements of Paragraph 013.01.a. of these rules shall not apply to a registered apprentice enrolled in an apprenticeship program accredited by the Division of Building Safety. (3-29-12)

c. An applicant with out-of-state experience from a state that does not have a current reciprocal agreement with Idaho must meet the experience and vocational education requirements as set forth in Paragraph 013.01.a. of these rules or if the applicant has not completed the vocational education requirement, the applicant may alternately submit verification of twice the amount of experience (eight (8) years defined as a minimum of sixteen thousand (16,000) hours)). That work shall include three (3) categories: (5-3-03)

- i. Residential; (5-3-03)
- ii. Commercial; and (5-3-03)
- iii. Industrial installations. (5-3-03)

d. Experience shall not exceed seventy-five percent (75%) of the work time in any one (1) category and must have been legally obtained in the state in which the applicant received his experience. (5-3-03)

e. An applicant from a state that has a current reciprocal agreement with the state of Idaho may be issued a journeyman electrician license without testing in accordance with Section 54-1007, Idaho Code, upon verification that: (5-3-03)

- i. The license is current and active and in good standing; (5-3-03)
- ii. The license was obtained by testing from the issuing state; (5-3-03)
- iii. The license has been in effect for a minimum of one (1) year; and (5-3-03)
- iv. The applicant has not previously taken and failed the Idaho state journeyman electrical examination. (5-3-03)

f. Experience in appliance repairing, motor winding, and communications will not be accepted towards qualification for a journeyman electrician license. (5-3-03)

02. Application and Examination. A qualified journeyman electrician not holding an Idaho state license shall make application for a journeyman electrician license with the Division of Building Safety prior to going to work in the state of Idaho as provided by Section 54-1002(2), Idaho Code. An applicant will be permitted a maximum of thirty (30) days in which to take the examination after making application unless mutual agreements have been made between the applicant and the Division of Building Safety. (3-29-12)

014. MASTER ELECTRICIAN.

An applicant for a master electrician license must have at least four (4) years experience as a licensed journeyman electrician as provided in Section 54-1007, Idaho Code. Any person having these qualifications may make application at any time by remitting to the Division of Building Safety the application fee. Upon approval, the applicant will be notified and may apply to take the next examination. Upon notification of passing the examination, the applicant must remit the required fee for the issuance of a master license. A person holding a current master license shall not be required to hold a journeyman license. (3-29-12)

015. ELECTRICAL CONTRACTOR.

01. Qualifications for Electrical Contractor. (4-7-91)

a. On and after July 1, 2008, except as hereinafter provided, any person, partnership, company, firm, association, or corporation shall be eligible to apply for an electrical contractor license upon the following requirements: (4-2-08)

i. Applicant shall have at least one (1) full-time employee who holds a valid master electrician license issued by the Division of Building Safety. Licensed electrical contractors who are current and active prior to July 1, 2008, shall not be required to have a master electrician as the supervising electrician until a new supervising electrician is designated. A master electrician license will be required for a new supervising electrician designated after July 1, 2008. (3-29-12)

ii. The master electrician shall be designated the supervising electrician and shall be available during working hours to carry out the duties of supervising, as set forth herein, and who will be responsible for supervision of electrical installations made by said company, firm, association, or corporation as provided by Section 54-1010, Idaho Code. (4-2-08)

iii. An individual electrical contractor may act as his own supervising master electrician upon the condition that he holds a valid master electrician license. (4-2-08)

iv. Applicant must pass a contractor examination administered by the Division or its designee. Any applicant which purports to be a non-individual (such as, corporation, partnership, company, firm, or association), must designate in writing an individual to represent the partnership, company, etc., for examination purposes. Any such designee shall be a full-time supervisory employee and may not represent any other applicant for an electrical contractor's license. (3-29-12)

v. Applicant shall provide proof of liability insurance to the Division in the amount of three hundred thousand dollars (\$300,000) from an insurance company licensed to do business in the state of Idaho. The liability insurance shall be in effect for the duration of the applicant's contractor licensing period. (3-29-12)

vi. Applicant shall provide to the Division proof of Idaho's worker's compensation insurance unless specifically exempt from Idaho law. The Division will provide written confirmation of exemption status. (3-29-12)

b. Any person designated under Paragraph 015.01.a. of these rules, and the contractor he represents, shall each notify the Division in writing if the supervising master's working relationship with the contractor has been terminated. Each notice must be filed with the Division within ten (10) days of the date of termination. If the supervising master's relationship with the contractor is terminated, the contractor's license is void within ninety (90)

days unless another supervising master is qualified by the Division. (3-29-12)

02. Required Signatures on Application. An application for an electrical contractor license shall be signed by the applicant or by the official representative of the partnership, company, firm, association, or corporation making the application. The application shall be countersigned by the supervising master electrician. (4-2-08)

03. Electrical Contracting Work Defined. An electrical contractor license issued by the Division of Building Safety must be obtained prior to acting or attempting to act as an electrical contractor in Idaho. (4-5-00)

a. Electrical contracting work includes electrical maintenance or repair work, in addition to new electrical installations, unless such work is expressly exempted by Section 54-1016, Idaho Code. (4-5-00)

b. Any person or entity performing or offering to perform electrical contracting services, including, but not limited to, advertising or submitting a bid shall be considered as acting or attempting to act as an electrical contractor and shall be required to be licensed. For the purposes of Section 015, advertising shall include, but not be limited to: newspaper, telephone directory, community flier ads or notices, telephone, television, radio, internet, business card, or door-to-door solicitations. (5-8-09)

c. Any person or entity, not otherwise exempt, who performs or offers to perform electrical contracting work, is acting as an electrical contractor, whether or not any compensation is received. (4-5-00)

d. Registered general contractors who submit a bid on a multi-trade construction project that includes a licensed electrical contractor's pricing shall not be considered to be acting or attempting to act as an electrical contractor. (5-8-09)

04. Previous Revocation. Any applicant for an electrical contractor license who has previously had his electrical contractor license revoked for cause, as provided by Section 54-1009, Idaho Code, shall be considered as unfit and unqualified to receive a new electrical contractor license so long as such cause for revocation is continuing and of such nature that correction can be made by the applicant. (1-14-87)

05. Reviving an Expired License. Any applicant for an electrical contractor license who has allowed his license to expire and seeks to revive it under the provisions of Section 54-1013, Idaho Code, may be denied a license as unfit and unqualified if, while operating under the license prior to expiration, he violates any of the laws or rules applicable to electrical contractors. (4-1-91)

06. Qualification and Duties for Supervising Journeyman or Master. (4-2-08)

a. A master electrician shall not be considered as qualified to countersign an electrical contractor license application as the supervising master, nor shall said application be approved if he does countersign said application as the supervising master, if said master has had his Idaho electrical contractor license revoked for cause under Section 54-1009, Idaho Code. (4-2-08)

b. A supervising master shall not countersign for more than one (1) contractor. (4-2-08)

c. A journeyman who is a full time employee of a company, corporation, firm or association with an industrial account may sign as supervising journeyman for that industrial account in addition to signing as supervising journeyman for his own contractor's license so long as the journeyman is listed as the owner and complies with the provisions of Paragraphs 015.01.a. and 015.01.b. of these rules (7-1-97)

d. Duties include: assuring that all electrical work substantially complies with the National Electrical Code and other electrical installation laws and rules of the state, and that proper electrical safety procedures are followed; assuring that all electrical labels, permits, and licenses required to perform electrical work are used; assuring compliance with correction notices issued by the Division. (3-29-12)

07. Failure to Correct Defects in Electrical Installations. If a master countersigns an electrical contractor license application pursuant to Subsection 015.03 of these rules and thereafter willfully fails to correct

defects in electrical installations he made or supervised, and such defects are within his power to correct and are not the fault of the contractor, then the Division of Building Safety shall have the power to suspend or revoke said master's license pursuant to Section 54-1009, Idaho Code. (3-29-12)

08. Overcharging of Fees. It shall be grounds for suspension or revocation of an electrical contractor license if he charges and collects from the property owner an electrical permit or inspection fee which is higher than the fee actually in effect at the time of such charging and collection, pursuant to the current Electrical Laws and Rules of the Division of Building Safety, and the fee remitted by the contractor to the Division is less than the fee actually charged and collected by him. (3-29-12)

09. Termination of Supervising Master or Contractor Designee. (4-2-08)

a. Any person designated under Paragraph 015.01.a. of these rules, and the contractor he represents, shall each notify the Division in writing if the supervising master's working relationship with the contractor has been terminated. Each notice must be filed with the Division within ten (10) days of the date of termination. If the supervising master's relationship with the contractor is terminated, the contractor's license is void within ninety (90) days unless another supervising journeyman is qualified by the Division. (3-29-12)

b. Any person designated under Paragraph 015.01.a. of these rules, and the contractor he represents, shall each notify the Division in writing if the designee's working relationship with the contractor has been terminated. Each notice must be filed with the Division within ten (10) days of the date of termination. If the designee's relationship with the contractor is terminated, the contractor's license is void within ninety (90) days unless another duly qualified designee passes the electrical contractor's examination on behalf of the contractor. (3-29-12)

016. -- 999. (RESERVED)

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